

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIAN COLEMAN ,

Plaintiff(s)

-against-

THE CITY OF NEW YORK, DOLLAR TREE STORE 4925,  
DOLLAR TREE STORES, INC., DOLLAR TREE STORE  
MANAGEMENT INC., NEW YORK CITY POLICE  
OFFICERS: JOHANNY BEISSEL SHIELD 7587, AND  
OFFICERS JOHN AND JANE DOE #S 1 -10, THE NAMES  
BEING FICTITIOUS AND PRESENTLY UNKNOWN, IN  
THEIR INDIVIDUAL AND OFFICIAL CAPACITIES AS  
EMPLOYEES OF THE CITY OF NEW YORK POLICE  
DEPARTMENT, DOLLAR TREE STORE 4925 AND/OR  
DOLLAR TREE STORES, INC. AND/OR DOLLAR TREE  
STORE MANAGEMENT EMPLOYEES: ALEXANDER  
ETSEYOTSE AND SECURITY GUARDS JOHN AND JANE  
DOE #S 1 -10, THE NAMES BEING FICTITIOUS AND  
PRESENTLY UNKNOWN, IN THEIR INDIVIDUAL AND  
OFFICIAL CAPACITIES AS EMPLOYEES OF DOLLAR  
TREE STORE 4925 AND/OR DOLLAR TREE STORES, INC.  
AND/OR DOLLAR TREE STORE MANAGEMENT,

Defendant(s)

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**Docket No.:**  
**1:18CV11819-RA**

**DECLARATION  
IN SUPPORT**

ALLEN KOHN, an attorney duly admitted to practice law before this Court declares  
under the penalty of perjury the following to be true:

1) I am an associate with Mintzer, Sarowitz, Zeris Ledva & Meyers, LLP,  
attorneys for Defendant Dollar Tree Store, Inc. i/s/h/a Dollar Tree Store Management Inc. and  
Alexander Etseyotse (“Dollar Tree Defendants”).

2) I am fully familiar with the facts and circumstances surrounding this case  
and submit this Declaration in support of a motion pursuant to Fed. R. Civ. P 12(c) dismissing  
the Complaint against Dollar Tree Defendants.

3) On December 17, 2018, Plaintiff filed the Complaint attached hereto as Exhibit A.

4) On December 18, 2018 Plaintiff filed the Complaint attached hereto as Exhibit B.

5) On January 2, 2019 Plaintiff filed the Complaint attached hereto as Exhibit C.

6) On March 04, 2019 Dollar Tree Defendants filed the Answer attached hereto as Exhibit D.

Dated: New York, New York  
April 12, 2019

/s/ Allen Kohn  
ALLEN KOHN